

405 General Real Estate Correspondence
Cornell Dubilier Electronic Superfund Site
Hamilton Industrial Park
South Plainfield, NJ

333023



Hawkins, Gloria S NAB02

From: Hawkins, Gloria S NAB02
Sent: Thursday, October 08, 2009 9:18 AM
To: 'Mannino.Pietro@epamail.epa.gov'
Subject: RE: Draft Remedial Action Report - Cornell Dubilier Superfund Site
Attachments: Final Remedial Action Report Tenant Relocations - Cornell.doc

Pete,

Per your request, attached is an electronic copy of the Final Remedial Action Report for Cornell. I will mail an original copy to you as well.

-----Original Message-----

From: Mannino.Pietro@epamail.epa.gov [mailto:Mannino.Pietro@epamail.epa.gov]
Sent: Tuesday, September 22, 2009 2:12 PM
To: Hawkins, Gloria S NAB02
Cc: Lewis, Susan K NAB02
Subject: Re: Draft Remedial Action Report - Cornell Dubilier Superfund Site

Thanks Gloria;

I just made a couple of minor editorial changes. Also if you could add the actual administrative costs incurred. I also deleted the discussion about the processing of the A&C Catalyst claim (I'm assuming that has been completed). Also, do any changes need to be made for the Nessler Metals claim that was submitted. Please let me know if you want to discuss any of my comments. If not, please send me an electronic copy of the final report. thanks

(See attached file: Tenant Relocation REMEDIAL ACTION
REPORTrevisedpm.doc)
[attachment "Tenant Relocation REMEDIAL ACTION REPORTrevisedpm.doc"
deleted by Pietro Mannino/R2/USEPA/US]

"Hawkins, Gloria
S NAB02"
<Gloria.S.Hawkin
s@usace.army.mil
>

To
Pietro Mannino/R2/USEPA/US@EPA
cc

08/05/2009 02:25
PM

Subject
Draft Remedial Action Report -
Cornell Dubilier Superfund Site

Pete,

Attached for your review is a draft copy of the Remedial Action Report.
Please be advised that I will update the actual amount for the administrative costs when our budget analysts returns from vacation.

If you have any questions, please feel free to contact me.

<<REMEDIAL ACTION REPORT.doc>>

Thanks.

Gloria Hawkins
Realty Specialist
410-962-2003 (office)
410-215-7588 (cell)
410-962-4922 (fax) [attachment "REMEDIAL ACTION REPORT.doc" deleted by Pietro Mannino/R2/USEPA/US]

REMEDIAL ACTION REPORT

CORNELL-DUBILIER ELECTRONICS SUPERFUND SITE, South Plainfield, New Jersey

RELOCATION OF BUSINESSES

INTRODUCTION: The Cornell-Dubilier Electronics, Inc. (CDE) Superfund Site is located at 333 Hamilton Boulevard in the Borough of South Plainfield, Middlesex County, New Jersey. The site consists of approximately 26 acres containing 18 buildings that were used by a variety of commercial and industrial tenants. The former CDE facility, known as the Hamilton Industrial Park, was in operation from 1936 to 1962.

The CDE Site manufactured electronic components including capacitors. Polychlorinated biphenyls (PCBs) and chlorinated organic solvents were used in the manufacturing process, and the company disposed of PCB-contaminated materials and other hazardous substances directly on the facility soils. Their activities led to widespread chemical contamination at the facility, as well as migration of contaminants to areas nearby the facility. PCBs have been detected in the groundwater, soils and building interiors at the industrial park, adjacent residential, commercial and municipal properties, and in the surface water and sediments of the Bound Brook.

The Record of Decision, dated September 30, 2004, required the demolition of 18 buildings and the permanent relocation of eligible tenants at the former CDE facility buildings pursuant to the Uniform Relocation Act.

THE RECORD OF DECISION: The major component of the selected remedy which was implemented as part of the Real Estate Relocation Program consists of the permanent relocation of approximately 15 businesses.

The purpose of this Remedial Action Report is to describe the relocations of the businesses.

SITE BACKGROUND/SITE INFORMATION: In 1996, the New Jersey Department of Environmental Protection (NJDEP) conducted a site inspection and collected surface soil, surface water and sediment samples at the facility. In June 1996, the Environmental Protection Agency (EPA) collected and analyzed additional soil, surface water and sediments at the facility. The results of the sample analysis revealed that elevated levels of PCBs, VOCs and inorganics were present at the site.

As a result of the contamination found on the property, in March 1997, EPA ordered the owner of the property (D.S.C. of Newark Enterprises, Inc.) a potentially responsible party (PRP), to perform a removal action to mitigate risks associated with contaminated soil and surface water runoff from the facility. The removal action included paving

driveways and parking areas in the industrial park, installing a security fence and implemental drainage controls.

PERFORMANCE STANDARDS AND CONTROL MEASURES: All relocations of the businesses were completed in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646), as amended by the Surface Transportation and Uniform Relocation Assistance Act of 1987 (Public Law 100-17), and its implementing regulations at 49 CFR Part 24.

ACQUISITIONS, RELOCATIONS AND BENEFIT ENTITLEMENT DETERMINATIONS:

Initial interviews were conducted with the business owners in order to obtain an accurate assessment of their relocation needs. Each business owner was advised of their relocation rights and potential benefits as a result of being displaced due to the project.

Of the 15 businesses located at the site, only 11 were eligible for relocation benefits. Dove Construction, LIT Automotive and Chamberlain Power & Electric vacated the property prior to initiation of negotiations, which for this site was determined by EPA to be triggered by issuance of the 90-day notice. DSC of Newark Enterprises, Inc. was not interviewed since they were determined ineligible for benefits because they are considered a PRP.

<u>NAME</u>	<u>BUILDING NUMBER</u>	<u>DATE OF INTERVIEW</u>	<u>DATE SITE VACATED</u>
Spring Coil Bedding, Inc.	1 & 6	3/22/2006	6/2007
A&C Catalysts, Inc.	2	3/21/2006	6/2007
BP Nanak Spice Co.	2A	2/14/2007	3/2007
Complete Liquidation Co.	3, 4, 4A, 5A & 11	3/22/2006	11/2006
Fayette Trading	5	3/22/2006	7/2006
Dove Construction	7	3/22/2006	not available
Keystone Plastics	8	3/23/2006	10/2006
R&M Manufacturing	9, 9B & 17	3/23/2006	7/2007
Central Jersey Trading Co.	9C	3/23/2006	6/2007
Chamberlain Power & Electric, Inc.	10	3/22/ 2006	not available
LIT Automotive	12 (vacated prior to interview)		not available
Nesser Metals & Alloys	13	3/23/2006	8/2007
Franz Cabinet Co.	15	3/22/2006	3/2007
Townsend Bros. Moving & Storage	16	3/23/2006	5/2007
DSC of Newark Enterprises, Inc.	18	N/A	not available

ESTIMATED ADMINISTRATIVE COSTS: The following estimate was provided to EPA in connection with the administrative costs associated with the permanent relocations for this project.

Due to the complexity of some of the businesses and their usage of specialized equipment, the Government had a machinery and equipment appraisal conducted on four businesses in order to obtain an accurate in-place value amount for the specialized equipment.

Preparation/Review of Real Estate Planning Report (REPR)	\$ 5,000.00
Contract for preparation of Machinery & Equipment Appraisal	\$ 3,000.00
Review/process of relocation claims	\$ 5,200.00
Preparation of monthly summary reports	\$ 4,500.00
Provide relocation assistance to tenants	\$ 97,500.00
Coordination and meetings	\$ 7,500.00
Search for comparable replacement sites (overnight site visits)	\$ 16,200.00
Administrative Support	\$ 2,500.00
Project Closeout	<u>\$ 2,500.00</u>
Total Estimated Administrative Costs	\$143,900.00
15% Contingency	<u>\$ 21,585.00</u>
Total Costs	\$165,485.00

The actual administrative costs incurred were \$190,611.48.

ESTIMATED RELOCATION COSTS: In accordance with the URA, businesses are entitled to relocation benefits which include re-establishment expenses not to exceed \$10,000.00 and moving and related expenses which does not have a dollar limit. Below is the actual relocation amounts paid based upon claims forms submitted with the required supporting documentation.

Below is an estimate of the projected relocation costs associated with the business relocations. For estimating purposes, it was assumed that each business would receive the maximum allowable benefit for re-establishment at \$10,000.00 each. In addition to the re-establishment expenses, each business would be entitled to search expenses and moving and related costs. Businesses are entitled to reimbursement for time spent searching for a replacement site to operate their business. The maximum amount allowed for search expenses is \$2,500.00 each. The estimate used for the moving costs was based upon move estimates obtained by the Government through a private moving company. The estimate used for the related costs was based upon prior business relocations of the same nature. The related costs include the permits, architectural drawings, recalibration of specialized equipment, disconnection and reconnection of specialized equipment, plumbing and electrical requirements associated with specialized equipment.

Machinery and Equipment (M&E) Appraisal (4 businesses)	\$ 43,200.00
Moving Costs	\$1,154,700.00
Related Expenses	\$ 404,145.00
Re-establishment Expenses (\$10,000 x 13)	\$ 130,000.00
Search Expenses for Replacement Property by tenants	<u>\$ 32,500.00</u>
Total Estimated Relocation Expenses	\$1,764,545.00
Contingency	15%
Total Estimated Relocation Expenses	<u>\$ 264,681.75</u>
	\$2,029,226.70

The actual relocation benefits paid to each displaced business are listed below.

<u>NAME</u>	<u>RE-ESTABLISHMENT BENEFITS PAID</u>	<u>RELOCATION BENEFITS PAID</u>
Spring Coil Bedding	\$ -0-	\$ 79,066.00
A&C Catalysts	\$10,000	\$131,734.40
BP Nanak Spice Co.	\$ -0-	\$ 39,122.00
Complete Liquidation	\$10,000	\$773,056.93
Fayette Trading	\$ 400	\$123,005.93
Keystone Plastics	\$10,000	\$ 34,855.00
R&M Manufacturing	\$10,000	\$405,053.81
Central Jersey & Trading	\$10,000	\$ 23,449.12
Nesser Metals & Alloys, LLC	\$10,000	\$ 14,650.00
Franz Cabinet Company	\$10,000	\$ 22,852.50
Townsend Brothers Moving and Storage Co.	\$ -0-	\$ 21,000.00
TOTAL	\$70,400	\$1,667,984.56

The deadline to file appeals has since passed for all of the aforementioned businesses.

Hawkins, Gloria S NAB02

From: Hawkins, Gloria S NAB02
Sent: Wednesday, April 18, 2007 12:09 PM
To: Gajdek, Rich E NAN02
Subject: RE: CENAB Final Relocation Cost Estimate and CENAB in house Labor Estimate (UNCLASSIFIED)

Rich,

Below are the esimated costs to complete the remaining relocations. Also, in our original estimate we requested \$1,930,030.00, however, to date we only received \$1,689,495.00. Leaving a remaining amount due of \$240,535.00. These additional funding requirements do not include the \$240,535.00. In addition to the amounts listed below, please include the remaining balance of \$240,535.00.

Moving and Related Expenses - \$389,043.00 Labor - \$25,000.00

Total amount required to complete the remaining relocations including labor is \$654,578.

Also, please increase the P2 budget as follows for A1520. Also, please add a E1N0000 to the P2 Budget with a budgeted amount of \$10,000.

E1N0500 - Budgeted Amount \$27,500 increase to \$37,500 E1N0800 - Budgeted Amount \$35,000 increase to \$60,000

If you have any questions, please give me a call.

-----Original Message-----

From: Gajdek, Rich E NAN02
Sent: Tuesday, April 17, 2007 7:23 PM
To: Nejand, Patrick C NAN02
Cc: Hawkins, Gloria S NAB02; Maas, Kenneth E NWK
Subject: RE: CENAB Final Relocation Cost Estimate and CENAB in house Labor Estimate (UNCLASSIFIED)

Patrick,

I spoke with Gloria today and she estimates by mid-day tomorrow she will provide me an estimated cost for the remaining Relocations and CENAB labor to complete real estate work at this site.

Thanks
Rich

Voice 917-790-8234
Fax 212-264-0563

-----Original Message-----

From: Hawkins, Gloria S NAB02
Sent: Monday, April 16, 2007 8:14 AM
To: Gajdek, Rich E NAN02
Subject: RE: CENAB Final Relocation Cost Estimate and CENAB in house Labor Estimate (UNCLASSIFIED)

My apologies for the the delay. I will get that to you NLT 12N tomorrow.

-----Original Message-----

From: Gajdek, Rich E NAN02
Sent: Thursday, April 12, 2007 11:37 PM
To: Hawkins, Gloria S NAB02
Cc: Kolb, Neal F NAN02; Lewis, Susan K NAB02; Maas, Kenneth E NWK; Milligan, Chris NAB02; Nejand, Patrick C NAN02

Subject: RE: CENAB Final Relocation Cost Estimate and CENAB in house Labor Estimate
(UNCLASSIFIED)

Gloria,

Please advise the additional relocation costs and CENAB labor funds are needed to complete the real estate work at Cornell.

We are getting a new IAG funding increment and Pete has asked us to consolidate the Corps funding request.

Thanks
Rich

Voice 917-790-8234
Fax 212-264-0563

-----Original Message-----

From: Hawkins, Gloria S NAB02
Sent: Tuesday, March 27, 2007 7:09 AM
To: Gajdek, Rich E NAN02
Subject: RE: CENAB Final Relocation Cost Estimate and CENAB in house Labor Estimate
(UNCLASSIFIED)

Rich,

I'll take a look at our funding this afternoon and the estimated costs associated with relocating the remaining eight tenants and will get back to you either late this afternoon or first thing tomorrow morning.

-----Original Message-----

From: Gajdek, Rich E NAN02
Sent: Monday, March 26, 2007 8:50 PM
To: Hawkins, Gloria S NAB02
Cc: Lewis, Susan K NAB02; Milligan, Chris NAB02; Nejand, Patrick C NAN02; Maas, Kenneth E NWK; Kolb, Neal F NAN02
Subject: CENAB Final Relocation Cost Estimate and CENAB in house Labor Estimate
(UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Gloria,

Does CENAB have a final estimate and sufficient funding for the relocation of the remaining tenants and for CENAB's in-house labor?

Thanks
Rich

Voice 917-790-8234
Fax 212-264-0563
Classification: UNCLASSIFIED
Caveats: NONE

Hawkins, Gloria S NAB02

From: Hawkins, Gloria S NAB02
Sent: Tuesday, December 12, 2006 10:40 AM
To: Roland, Sharon NAB02
Subject: Request for Solicitation (UNCLASSIFIED)

Attachments: Machinery and Equipment Appraisal SOW.doc; LIST OF POTENTIAL MACHINERY AND EQUIPMENT BIDDERS.doc



Machinery and Equipment Appraisal...
LIST OF POTENTIAL MACHINERY AND EQUIPMENT BIDDERS.doc

Classification: UNCLASSIFIED

Caveats: NONE

Sharon,

This is a request for Solicitation Services for a Machinery and Equipment Appraisal in connection with the Cornell Dubilier Electronics Superfund Site in South Plainfield, New Jersey. Attached is a list of potential bidders that should also request copies of the solicitation and the scope of work. The Planning PR&C Number for this request is W81W3G63450218. The following labor code is provided 0649B5 in the amount of \$2,000.00.

Also, it is requested that this be expedited as soon as possible as it is of great importance to have the M&E Appraiser on board prior to relocating the tenants impacted by this superfund project. If you need additional information, please contact me via email or at 2-2003.

Thanks

Classification: UNCLASSIFIED
Caveats: NONE

Hawkins, Gloria S NAB02

From: Hollobaugh, Mary NAB02
Sent: Monday, December 11, 2006 2:40 PM
To: Hawkins, Gloria S NAB02
Subject: RE: Pr&c to Certify (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Gloria - I just printed a copy of the pr&c for you (it is in the printer over here). The pr&c is now ready for Contracting Div. The labor code for Contracting Div is 0649B5 with \$2,065.

-----Original Message-----

From: Bostwick, Carol NAB02
Sent: Monday, December 11, 2006 2:36 PM
To: Hollobaugh, Mary NAB02
Subject: RE: Pr&c to Certify (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Mary,

PR&C has been certified.

Thanks,

Carol Bostwick
Funds Control
Resource Management Office
Phone: 410-962-3233
FAX: 410-962-2988

-----Original Message-----

From: Hollobaugh, Mary NAB02
Sent: Monday, December 11, 2006 1:49 PM
To: Bostwick, Carol NAB02
Subject: Pr&c to Certify (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

%450218
Contractual

THANKS!

Classification: UNCLASSIFIED
Caveats: NONE
Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

PURCHASE REQUEST AND COMMITMENT For use of this form, see AR 37-1: the proponent agency is Hq Dept. ARMY				PURCHASE INSTRUMENT NO.		REQUISITION NO. W81W3G63450218		DATE 11Dec2006		PAGE 0001	
TO: Purchasing and Contracting Officer				THRU: CONTRACTING DIVISION				FROM: RE DIV SPECIAL PROJECTS			
It is requested that the supplies and services enumerated below or on attached list be:											
PURCHASED FOR RE DIV SPECIAL PROJECTS				DELIVERED TO SEE LINE ITEM BELOW				NOT LATER THAN (DATE) SEE LINE ITEM BELOW			
The supplies and services listed below cannot be secured through normal channels or other Army supply sources in the immediate vicinity, and their procurement will not violate existing regulations pertaining to local purchases for stock, therefore, local procurement is necessary for the following reason: (Check appropriate box and complete item)						NAME OF PERSON TO CALL FOR ADDITIONAL INFORMATION GLORIA HAWKINS			TELEPHONE NUMBER 410-962-5172		
LOCAL PURCHASES AUTHORIZED AS THE NORMAL MEANS OF SUPPLY FOR THE FOREGOING BY				REQUISITIONING DISCLOSES NONAVAILABILITY OF ITEMS AND LOCAL PURCHASE IS AUTHORIZED BY				Fund Certification The supplies and services listed on this request are properly chargeable to the following allotments, the available balances of which are sufficient to cover the cost thereof, and funds have been committed.			
EMERGENCY SITUATION PRECLUDES USE OF REQUISITION CHANNELS FOR SECURING ITEM											
ACCOUNTING CLASSIFICATION AND AMOUNT											
ITEM	DESCRIPTION OF SUPPLY OR SERVICES	QUANTITY	UNIT	ESTIMATED		S&A \$0.00 CONTRACT \$43,200.00 TOTAL \$43,200.00					
				UNIT PRICE	TOTAL COST	OBLIG. ADJ. .00					
0001	CORNELL - MACHINERY AND EQUIPMENT APPRAISAL	.00	LS	\$.000	\$43,200.00	SEE LINE ITEM BELOW					
DEL DATE	11Dec2006 96 NA X 3122.0000	E1 X	08	2420	099996	96181 2520 9415FC					
SHIP TO	NA	9415FC				TYPED NAME AND TITLE OF CERTIFYING OFFICER			SIGNATURE		DATE
DEL TO	GLORIA HAWKINS				410-962-5172			ELEANORE BOSTWICK /S/ELEANORE C BOSTWICK		11Dec2006	
DISCOUNT TERMS											
PURCHASE ORDER NUMBER											
DELIVERY REQUIREMENTS											
THE FOREGOING ITEMS ARE REQUIRED NOT LATER THAN AS INDICATED ABOVE FOR THE FOLLOWING PURPOSE											
ARE MORE THAN 7 DAYS REQUIRED TO INSPECT AND ACCEPT THE REQUESTED GOODS OR SERVICES YES___ NO___ IF YES, NUMBER OF DAYS REQUIRED											
TYPED NAME AND GRADE OF INITIATING OFFICER MARY HOLLOBAUGH				SIGNATURE /S/MARY HOLLOBAUGH				DATE 11Dec2006		TYPED NAME AND GRADE OF APPROVING OFFICER OR DESIGNEE	
TELEPHONE NO. 410-962-4918											
TYPED NAME AND GRADE OF SUPPLY OFFICER				SIGNATURE				DATE		TYPED NAME AND GRADE OF SUPPLY OFFICER	
										MARY HOLLOBAUGH /S/MARY HOLLOBAUGH 11Dec2006	

SCOPE OF WORK
MACHINERY & EQUIPMENT APPRAISAL SERVICES
FOR
THE CORNELL-DUBILIER ELECTRONICS (CDE) SUPERFUND SITE
HAMILTON INDUSTRIAL PARK
333 HAMILTON BOULEVARD, SOUTH PLAINFIELD, NEW JERSEY

December 12, 2006

PURPOSE OF APPRAISAL:

Appraisals are required to estimate value of Machinery and Equipment (M & E) used in connection with the following businesses located in the Hamilton Industrial Park, South Plainfield, New Jersey. The businesses are as follows: Spring Coil Bedding Company (Mattress Manufacturer), Building 1; A&C Catalysys (Chemical Mixing Manufacturer), Building 2; R&M Manufacturing Inc. (Cabinet Manufacturer), Building 9B; and Franz Cabinet Company (Cabinet Manufacturer), Building 15. The appraisals will be used as a basis to determine the fair market value (FMV), as is, for continued use of the M & E used in connection with the businesses that are being relocated due to the U.S. Environmental Protection Agency (EPA) clean-up of the Cornell-Dubilier Electronics Superfund Site. The definition of FMV, as-is, for continued use is further defined in 49 CFR Part 24.301 (g) (14) (i) dated 4 January 05.

SCOPE:

- A. Personal property is to be appraised, including machinery and equipment (M & E) used in connection with each of the aforementioned businesses located at the Hamilton Industrial Park. There appraisals shall provide itemized schedules of all operating M & E with estimates of value in place, as is, for continued use respective to each of the above mentioned businesses.
- B. The M & E appraisals are to be provided in narrative report format including appropriate supporting data for the estimates of value. Four (4) separate reports are required, one for each of the above mentioned businesses.
- C. Description of each individual business' machinery and equipment by itemized inventory is permissible. This shall be augmented by general category descriptions that go into more detail about age and condition, useful/productive remaining life, and methodology for estimating value. Photographs of representative samples of machinery and equipment items shall also be provided.

SUPPLIED MATERIALS:

Inspection host name and contact information for each of the businesses will be provided upon issuance of the notice to proceed.

INSPECTIONS:

The M & E appraiser is required to invite each business owner (or their agents or representatives) to accompany him/her in an inspection of the plant's machinery and equipment inventory. Inspections shall include all those items of machinery and equipment that are included on the owner's inventory.

APPRAISAL COMPLETION/DELIVERY SCHEDULE:

The M & E appraisal reports shall be delivered within 30 days of the notice to proceed.

COPIES OF APPRAISAL REPORTS/PLACE OF DELIVERY:

Three copies of each of the M & E appraisal reports with original signatures and photographs shall be provided. The below named addressee is to receive all copies of the M & E appraisal report.

Ms. Susan K. Lewis
Mailing Address:
U. S. Army Corps of Engineers
Baltimore District
P. O. Box 1715
Baltimore, MD 21203-1715
Attn: CENAB-RE-S, 7th Floor

Overnight Delivery Address:
U. S. Army Corps of Engineers
Baltimore District
City Crescent Building
10 South Howard Street
Baltimore, MD 21201
Attn: CENAB-RE-S, 7th Floor

POINT OF CONTACT:

Should the appraiser have any questions or comments during the course of the appraisal or wish to discuss the assignment prior to completion of the report, he/she should communicate with Ms. Sue Lewis at 410-962-4921.

CREDENTIALS:

The M & E appraiser shall provide a resume of qualifications that includes a list of prior assignments and customers who may be contacted for references by the U. S. Army Corps of Engineers. The M & E appraiser's resume of qualifications shall be exhibited in the reports. Experience as an expert witness before U. S. District Courts in matters pertaining to M & E valuations should also be included in the resume of qualifications.

REVIEW PROCESS:

Review of the M & E appraisal report will be conducted by the U. S. Army Corps of Engineers' chief negotiator for the project, Ms. Sue Lewis. Requests for supplemental qualification, if required, will be provided in writing and are to be followed up by the M & E appraiser in a timely manner usually no more than five business days from date of request. Objective of the review process is to check for compliance with the Scope of Work and to evaluate the reasonableness and credibility of the machinery and equipment estimates.

PAYMENT:

The sum set out in the contract for the M & E appraisal reports shall constitute full payment to the contractor and shall include costs of all supplies, material, labor, transportation and equipment incidental to preparing and delivering the reports. The contract price shall be due and payable upon delivery and acceptance of the reports accompanied by a properly certified invoice.

APPRAISAL REPORTS TO BE CONFIDENTIAL:

All information contained in the M & E appraisal reports to be made hereunder and all parts thereof are to be treated as strictly confidential. The contractor shall take all necessary steps to ensure that no member of staff or organization divulge any information concerning such appraisal reports to any person other than representatives of the United States Army Corps of Engineers.

***** END *****

LIST OF POTENTIAL BIDDERS

In addition to the normal bidding process, please ensure that the following list of potential M&E Appraisal Firms receive solicitations.

Charles Bruce Land
Sidney Land, Inc.
10 Hackensack Avenue
Weekawken, New Jersey 07087-6610
Phone: 201-864-1010
Email: landcharles@hotmail.com
Fax: 201-864-7686

Mr. Mark R. Rodriguez
Federal Appraisal & Consulting
372 Route 22 West
Suite 1A
Whitehouse Station, New Jersey 08889
Phone: 732-780-6010
Email: mrodriguez@federalappraisal.com
Fax: 732-780-6020

Barry Glachman
CBIZ Valuation Group
Princeton, New Jersey
Phone: 609-896-0300 x21
Fax: 609-896-1849
Cell: 215-694-4890

Hawkins, Gloria S NAB02

From: Lewis, Susan K NAB02
Sent: Monday, October 16, 2006 8:52 AM
To: Hawkins, Gloria S NAB02; Daly, Mary E NAB02; Milligan, Chris NAB02
Subject: FW: Cornell-Dubilier Electronics, Inc. Superfund Site

FYI - re: tenant eligibility for relocation benefits at Cornell site.

-----Original Message-----

From: Flanagan.Sarah@epamail.epa.gov [mailto:Flanagan.Sarah@epamail.epa.gov]
Sent: Thursday, October 12, 2006 5:48 PM
To: Lewis, Susan K NAB02; Ryan, Patricia M NAB02
Cc: Mannino.Pietro@epamail.epa.gov; Seppi.Pat@epamail.epa.gov
Subject: Cornell-Dubilier Electronics, Inc. Superfund Site

Privileged and Confidential/Attorney-Client Communication/Attorney Work Product

Dear Susan and Trish:

This will follow up on our telephone conference on Wednesday, October 4, 2006, concerning the permanent relocation of commercial tenants at the Cornell Dubilier Electronics, Inc. ("CDE") Superfund Site. Pete Mannino, Pat Seppi and I appreciated the opportunity to discuss and clarify the application of the Uniform Relocation Assistance and Real Property Acquisition Policies Act ("URA"), and its implementing regulations found at 49 CFR Part 24, to the relocation process that has begun at the Site. To summarize where we ended up:

1. Commercial tenants in the industrial park at the CDE Site will be eligible for relocation benefits as "displaced persons" if they are present at the facility, with a valid lease, at the "initiation of negotiations."
2. Because this relocation of business tenants is made necessary by EPA's demolition of the buildings at the industrial park and does not involve any property acquisition, the "initiation of negotiations" that triggers eligibility for relocation benefits will be each tenant's receipt of a "ninety-day notice."
3. The special alternative definition for "initiation of negotiations" found in 49 CFR 24.2(a)(15)(iii) does not apply to the CDE Site. As discussed in Appendix A to the URA regulations, that definition would apply in the limited circumstances of a temporary relocation of tenants in the event a decision was later made to permanently relocate the tenants. In contrast, the health consultations issued for the Site by the Agency of Toxic Substances and Disease Registry ("ATSDR") did not trigger a temporary relocation of any tenants. Further, the Record of Decision cannot be considered the "initiation of negotiations" under 49 CFR 24.2(a)(15)(iii). The remedy selected in the Record of Decision called for demolition of all 18 buildings and relocation of the eligible tenants, "as necessary," but did not specify which tenants it might be necessary to relocate, or when. It also stated that not all of the buildings would necessarily have to be demolished, and allowed for a contingency remedy consisting of decontamination and surface sealing of buildings that were not demolished. Until July 2006, EPA Region 2 was not certain when and if funding would be available for tenant relocation, and that is when we began putting tenants on notice of their actual relocation.
4. The URA regulations, at 49 CFR 24.203(b), provide that eligibility begins on the date of the notice of intent to acquire, the initiation of negotiations, or the actual acquisition, whichever occurs first, and the Agency should promptly notify occupants in

writing of their eligibility. Of these three events, only the second - initiation of negotiations -- is relevant to the CDE Site. Thus, the ninety-day notice letter, which EPA deems to be the initiation of negotiations in this case, apparently should include notice of eligibility for applicable relocation assistance. You have brought this to our attention and we agree that future ninety-day notice letters should specifically address eligibility.

To address any potential confusion among the tenants at the industrial park, we also discussed whether EPA should provide a letter to the remaining tenants at the facility clarifying that EPA will notify them when they are eligible for relocation and explaining that any tenants that decide in the interim to vacate the facility for business reasons before EPA has scheduled the demolition of the buildings in which they are located - for example, because their leases have expired - will not be eligible for relocation benefits. We will provide a draft of the proposed letter for review and comment by the Army Corps.

Please do not hesitate to call if you have any questions.

Sarah P. Flanagan
Office of Regional Counsel, NJ Superfund Branch USEPA, Region II 290 Broadway, 17th Floor
New York, NY 10007
Tel: 212-637-3136
Fax: 212-637-3096

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Hawkins, Gloria S NAB02

From: Hawkins, Gloria S NAB02
Sent: Tuesday, October 10, 2006 3:35 PM
To: Gajdek, Rich E NAN02; 'Mannino.Pietro@epamail.epa.gov'; Seppi.Pat@epamail.epa.gov
Cc: Lewis, Susan K NAB02; Milligan, Chris NAB02; Daly, Mary E NAB02; Anderson, H Garth NWK; Maas, Kenneth E NWK
Subject: FW: Agenda for CDE conference call this afternoon

Rich,

Relocation costs cannot be split the way you have proposed. The cost of moving the businesses that we are required to move prior to 30 Nov 06 is approximately \$1,029,610.00 as shown below.

Keystone Plastics

\$25,200 (Moving Only)
\$10,000 (Re-establishment)
\$35,200

Complete Liquidation

\$854,550 (Moving Ony)
\$ 10,000 (Re-establishment)
\$864,550

Fayette Trading

\$119,850 (Moving Only)
\$ 10,000 (Re-establishment)
\$129,860

\$1,029,610

\$ 360,364 (related expenses = 35% of moving

costs)

\$1,389,974

In addition, the estimated cost of \$134,650 is associated with the next round of relocations for the following businesses:

Dove Construction

\$25,000 (Moving Only, this is an estimated cost, as we have not received move estimates for this tenant)
\$10,000 (Re-establishment)
\$35,000

Franz Cabinets

\$65,000 (Moving Only, this is an estimated cost, as we have not received move estimates for this tenant)
\$10,000 (Re-establishment)
\$75,000

Nesser Metals

\$14,650 (Moving Only)
\$10,000 (Re-establishment)
\$24,650

\$134,650

\$ 47,128 (related expenses = 35% of moving costs)

\$181,778

10/12/2006

Total amount needed for first half of FY07 is \$1,654,495, which includes administrative costs, moving expenses, related expenses and re-establishment expenses:

\$1,389,974 (1st round of relocations)
\$ 181,778 (2nd round of relocations)
\$ 82,743 (1/2 of estimated administrative costs)
\$1,654,495

From: Gajdek, Rich E NAN02
Sent: Tuesday, October 10, 2006 12:33 PM
To: 'Mannino.Pietro@epamail.epa.gov'
Cc: Anderson, H Garth NWK; Antzoulis, Evangelos NAN02; Hawkins, Gloria S NAB02; Kolb, Neal F NAN02; Lewis, Susan K NAB02; Maas, Kenneth E NWK; Milligan, Chris NAB02; Nejand, Patrick C NAN02; Urbanik, Gene R NAN02
Subject: RE: Agenda for CDE conference call this afternoon

Pete,

As discussed, below and attached is the back-up of the breakout of the Reimbursable portion of cost estimate for the Cornell OU2 IAG.

Please let me know if you have comments on this and if this breakout is acceptable. We will distribute the funding upon your concurrence.

Thanks
 Rich

Voice 917-790-8234
 Fax 212-264-0563

 Cornell OU2 IAG, DW96942098-01-0

Direct	3,718,042.00
Reimbursable	2,087,688.00
Total	5,805,730.00

Reimbursable Breakout: - Reimbursable Cost Estimate for 1 year of work

Baltimore Real Estate Cost Estimate (entire job)
 Tenant Relocation Costs: \$ 1,765,545.00 (includes 35% contingency)
 Baltimore Real Estate Costs: \$ 35,000.00
 Total \$ 1,930,030.00

We took half of this, approx \$ 1,000,000 to be part of the fist year cost estimate.

KC District Cost Estimate
 Malcolm Pirnie Cost – Title 2/Engineering During Construction
 \$ 150,000 – It is most efficient if we obligate the entire contract now and not just one year.

KC Labor Cost \$ 90,000 per one year.

New York District Corps
 Cost includes field oversight and all supporting costs \$ 847,688

10/12/2006

Total Estimate = \$ 1,000,000 + \$ 150,000 + \$ 90,000 + \$ 847,688 = \$ 2,087,688

234

Fax 212-264-0563

Sher-Del Transfer, Inc.

"A Complete Transportation Service"

October 6, 2006

Mr. Mark Silverberg
The Furniture X-Change
333 Hamilton Blvd.
South Plainfield, NJ 07080

Estimate

Re: Plant, Office & Trailer Yard relocation from 333 Hamilton Blvd South Plainfield NJ to Johnson & Johnson Facility Route 1 North Brunswick, NJ.

PHASE I: Transportation of 100 road worthy trailers loaded with office furniture and equipment @ \$650.00 per trailer on OT/DT hours \$65,000.00

PHASE II: Unload product from 100 non road worthy trailers into road worthy trailers supplied by Sher-Del Transfer and transport to the new facility. This work will be performed during OT & DT hours \$289,000.00

PHASE III: Relocate via tow, 100 non road worthy trailers on OT/DT hours \$65,000.00

PHASE IV: Reloading The Furniture X-Change non road worthy trailers with the furniture product from the Sher-Del road worthy trailers during OT & DT hours \$215,000.00

PHASE V: Relocation of 70,000 square feet of multiple building warehouses containing desks, modulars furniture systems, parts, chairs, filing cabinets, etc. All items being relocated will be packed and wrapped to protect the product being moved and unpacked and placed as directed in an orderly manner at the new location. The relocation of contents inside of warehouses is to be performed during OT & DT hours \$238,000.00

Sher-Del Transfer, Inc.

"A Complete Transportation Service"

PHASE V: Disassemble, transport and reassemble 40 bays of pallet racking during
OT & DT hours \$15,000.00

Estimated Bid price \$887,000.00

All tolls and fuel surcharges are inclusive of estimated bid price.

Notes and assumptions:

All items to be move are assumed to be condition unknown and working
condition unknown.

CAPITAL

CAPITAL MOVING & STORAGE COMPANY INC.
97 Burma Road, Jersey City, New Jersey 07305 • v: (212) 244-6886 • v: (201) 332-7510 • f: (201) 332-7178

October 2, 2006

Mr. Mark Silverberg
Vice President
The Furniture Exchange
333 Hamilton Blvd., Building # 3
South Plainfield, N.J. 07080

Dear Mr. Silverberg:

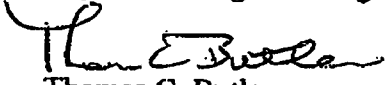
~~Were pleased to submit for your consideration our proposal pertaining to relocating your company to Johnson & Johnson facility located on Route 1.~~

The proposal is based on the following information as per our meeting.

1. All work to be performed on Overtime and Double time (Off Hours).
2. Project will take 4 to 5 weekends.
3. All items are to be blanket wrapped.
4. 100 trailers are road worthy.
5. 100 trailers non road worthy will be off loaded at current location, reloaded for transportation to new site and loaded back into the original trailer.
6. 100 non worthy trailers will be towed to the new site for reloading.
7. Mechanical work required to dismantle shelving, office work stations and re-install at new site.
8. Capital will not move any hazards material.
9. Capital will subcontract a towing company for trailer delivery.

Again, thank you for considering Capital for this project and we look forward to the pleasure of talking to you in the near future.

Very truly yours,
Capital Moving & Storage Co., Inc.


Thomas C. Butler
Principal

CAPITALProposalMaterial

150 commercial cartons @ \$ 2.50 per carton	375.00
950 commercial bins @ \$ 15.00 per bin	14,250.00
1,100 panel carrier rentals @ \$ 10.00 per carrier	11,000.00
750 rolls of PVC tape @ \$ 3.00 per roll	2,250.00

Overtime - Delivery of Moving Equipment

3 vans 3 drivers 6 men 2 foremen 1 supervisor @ \$ 825.00 per hour x 2 hours per Phase x 5 Phases	8,250.00
--	----------

Sales Tax 7%

2,528.75

Straight time - Tagging

200 man hours @ \$ 47.00 per hour	9,400.00
-----------------------------------	----------

Overtime - Packing, Wrapping Furniture

18 men @ \$ 1,080.00 per hour x 18 hours per Phase x 5 Phases	97,200.00
--	-----------

Double time - Wrapping & Unwrapping Furniture

18 men @ \$ 1,404.00 per hour x 12 hours x 5 Phases	84,240.00
---	-----------

Overtime - Transport 100 Road worthy trailers with furniture
already in trailer

100 trailers @ \$ 400.00 per trailer	40,000.00
--------------------------------------	-----------

Overtime - Unload 100 trailers (non road worthy) at current location
and reload for transportation to new location

8 men 1 foreman @ \$ 480.00 per hour x 3 hours per trailer x 100 trailers	144,000.00
--	------------

CAPITAL**Transportation – Towing of 100 non-worthy trailers**

100 trailers @ \$ 400.00 per trailer

40,000.00

Overtime – Unload transportation trailers and reload non-road worthy trailers at new site8 men 1 foreman @ \$ 480.00 per hour x 3 hours per trailer
x 100 trailers

144,000.00

Overtime – Dismantle 40 steel racks and office work workstations

120 man hours @ \$ 60.00 per hour

7,200.00

Double time – Install shelving and workstations

120 man hours @ 78.00 per hour

9,360.00

Overtime – Relocate 24 trailers per weekend x 5 weekends6 trailers 36 men 4 foreman 2 supervisors @ \$ 2,970.00 per hour
x 30 hours per weekend x 5 weekends

445,500.00

Double time – Relocate 10 trailers per weekend5 trailers 35 men 4 foreman 2 supervisors @ \$ 3,573.00 per hour
X 12.5 hours per Sunday x 5 Sunday

223,312.50

Total Relocation Cost**\$ 1,282,866.25**

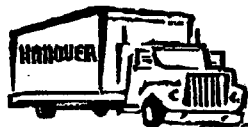
FROM : HANOVER MOVING & STORAGE

FAX NO. : 12019159803

Oct. 04 2006 07:06AM P1/2

HANOVER

MOVING & STORAGE CO., INC.



28-Sep-06

Tel: (201) 453-2310
 Fax: (201) 915-9804
 15 Exchange Place
 Suite 520 • 5th Floor
 Jersey City, NJ 07302

Mr. Mark Silverberg
 Vice President
 The Furniture X-Change
 333 Hamilton Blvd.
 South Plainsfield, NJ 07080

Dear Mr. Silverberg:

Move as follows:

162 Trailer Loads of furniture and panels from various areas at current warehouse

Wood Room (Rear)	36 Trailers
Middle Room	30 Trailers
File Room	25 Trailers
Chair Room	25 Trailers
Panel Room	46 Trailers

Also move (approx.) 2 trailer loads of office and P.C.'s of staff. Move additional 15 work stations include knock down and re-build and knock down and rebuild of 30 units of racking for furniture.

Breakdown as follows:

100 road worthy trailers at 5 hrs (tractor and man) @ \$100.00/per hr. = (100)

x-st 100 = \$50,000

100 non-road worthy trailers @ 30 hrs @ 65/hr + 5 hrs (tractor and man) @ 100 per hr. = $100 (30)(65) + (100)(5)(100) = \$245,000$

162 warehouse trailers @ 50 hrs @ 65/per hr + hrs (T&M) @ 100 hr = 162 total \$607,500

Includes:

Blanket wraps - wood furniture

Banding all pallets

Shrink wrapping all file cabinets

Knock down and rebuild 15 workstations @ 400 per station = \$6000

Knock down and rebuild (30) units of steel racking @ 175 per unit = \$5,250

Move of office staff, 10 min @ 65 per hr X 8 hrs = \$5,200 and 100 per hr

10/09/2006 MON 14:26 FAX 908 220063 LOGISTICS

008/008

FROM : HANOVER MOVING & STORAGE

FAX NO. : 12019159803

Oct. 04 2006 07:07AM P2/2

Page -2-

for 20 hrs x 8 hrs = 800

Total Price - \$919,750.

Hawkins, Gloria S NAB02

From: Lewis, Susan K NAB02
Sent: Monday, October 02, 2006 3:59 PM
To: Hawkins, Gloria S NAB02; Ryan, Patricia M NAB02
Subject: RE: FW: Cornell-Dubillier Superfund Site

I agree with Gloria's comments. Regarding the Notice of Relocation Eligibility: As you know, we typically send this Notice in conjunction with an Offer to Sell or a Comparable Housing Package (for residential displacements). This is an odd case, since the acquisition is being negotiated by EPA as part of a settlement agreement with the PRP, and EPA is sending out the written notices. I think we should have sent a written notice, but because of the lack of agreement between the agencies on eligibility it hasn't been done. However, I don't think that such notice is required to establish eligibility in this case, and the initiation of negotiations (if we can agree on when that was/will be) establishes eligibility even absent a written notice.

Do you think we a written notice?

From: Hawkins, Gloria S NAB02
Sent: Monday, October 02, 2006 3:49 PM
To: Ryan, Patricia M NAB02; Lewis, Susan K NAB02
Subject: RE: FW: Cornell-Dubillier Superfund Site

Trish,

My comments are in red.

From: Ryan, Patricia M NAB02
Sent: Monday, October 02, 2006 3:35 PM
To: Lewis, Susan K NAB02; Hawkins, Gloria S NAB02
Subject: RE: FW: Cornell-Dubillier Superfund Site

<http://www.fhwa.dot.gov/realestate/lpaguide/ch7.htm>

I am preparing for our call. So I thought I would comment on a couple of things. My main points are highlighted in blue.

Please look at the chart "Typical Relocation Process Under the Uniform Act" at the bottom of the link given above.

Where would you say we were in the process when the meetings took place? From what I understand, I think we were at Step 3 ("providing general written information" which is the brochure.) Note that that Step 3 is contemplated to occur well before the 90 day notice is issued. I agree that when the meetings took place that we were in Step 3.

Do you think Step 4 also took place during these meetings or at least did it begin during the meetings? I would definitely say the Step 4 began during the initial interview process.

Also, during the Step 3 period, the notice of relocation eligibility is to be provided. The notice is described in #2 under the Relocation Planning section at the beginning of the link. The notice is provided (as we know) at the initiation of negotiations which in the CERCLA context is different than that described here. The notice is also described in 24.203(b). In case it comes up, what do we consider our "notice of relocation eligibility?" Hint: it is supposed to be in writing. I would say our initial interviews and the follow-up correspondence we sent them outlining what was discussed during the interview process.

10/4/2006

Again this guidance is written with acquisition scenarios in mind so is not exactly on point.

One more question: what is p. 3 of 3 from Exhibit 6-13(b) referenced in Sue's letter to Abe Goldstein, business owner? Page 3 of Exhibit 6-13(b) explains eligible moving and related expenses, eligible re-establishment expenses and ineligible expenses.

Trish Ryan
Assistant District Counsel
U.S. Army Corps of Engineers,
Baltimore District
410-962-3385 (Baltimore District Office)
847-234-1126 (Chicago Remote Office)

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From: Lewis, Susan K NAB02
Sent: Thu 9/28/2006 8:33 AM
To: Ryan, Patricia M NAB02; Hawkins, Gloria S NAB02
Subject: RE: FW: Cornell-Dubillier Superfund Site

Trish - I responded to Sarah about the conference call. Got your message - I think we should meet this afternoon. Call me when you get to the office.

Thanks -

Sue

From: Ryan, Patricia M NAB02
Sent: Wednesday, September 27, 2006 2:32 PM
To: Lewis, Susan K NAB02; Hawkins, Gloria S NAB02
Subject: FW: FW: Cornell-Dubillier Superfund Site

Sue:

EPA would like to have a conference call with us regarding when Initiation of Negotiations occurs etc. (see below.)

They are proposing three dates. Thursday 10/5 does not work for me. Either Friday works—I will need to leave a meeting this Friday, 9/29, but that's okay.

If you cannot respond to this by 3:30 EDT today, can I ask that you respond directly to Ms. Flanagan and copy me since I will be in transit until I arrive in the district shortly after noon tomorrow.

Thank you,

Trish Ryan
Assistant District Counsel
U.S. Army Corps of Engineers,
Baltimore District
410-962-3385 (Baltimore District Office)
847-234-1126 (Chicago Remote Office)

10/4/2006

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From: Flanagan.Sarah@epamail.epa.gov [mailto:Flanagan.Sarah@epamail.epa.gov]
Sent: Wed 9/27/2006 1:58 PM
To: Ryan, Patricia M NAB02
Subject: Re: FW: Cornell-Dubillier Superfund Site

Trish,

Thank you for the information. I spoke at length with Pete Mannino, the Remedial Project Manager for the Site, and we concluded that it would be helpful for us to talk through a few issues that have come to mind in reviewing this matter, starting with the question of when "initiation of negotiations" occurs (at this Site, we think it is when EPA issues a 90-day letter to a tenant).

We would like to set a time for a conference call, with you, and also the Baltimore staff working on this relocation so that we can all get on the same page. I have a few dates in mind, though I haven't gotten confirmation from Pete:

Friday 9/29 at 10 or 11 am

Thursday 10/5 at 10 am, or anytime up to noon

Friday 10/6 in the afternoon

I am fairly certain that Pete is available on Friday morning this week, so if you and your Baltimore colleagues are free, I can set up the call using the EPA conferencing system. I look forward to hearing from you.

Sarah

Sarah P. Flanagan
Office of Regional Counsel, NJ Superfund Branch
USEPA, Region II
290 Broadway, 17th Floor
New York, NY 10007
Tel: 212-637-3136
Fax: 212-637-3096

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10/4/2006

Hawkins, Gloria S NAB02

From: Lewis, Susan K NAB02
Sent: Wednesday, September 20, 2006 4:14 PM
To: Hawkins, Gloria S NAB02; Ryan, Patricia M NAB02
Subject: RE: Cornell-Dubillier Superfund Site

It's also available on the FHWA website, if that's easier. Only difference is the Corps' logo is on the printed copy.

From: Hawkins, Gloria S NAB02
Sent: Wednesday, September 20, 2006 3:21 PM
To: Ryan, Patricia M NAB02
Cc: Lewis, Susan K NAB02
Subject: RE: Cornell-Dubillier Superfund Site

Trish,

I gave a copy of the brochure to Bertha. I asked her to scan it and send it to you. It's about 36 pages.

From: Ryan, Patricia M NAB02
Sent: Wednesday, September 20, 2006 3:10 PM
To: Hawkins, Gloria S NAB02; Lewis, Susan K NAB02
Subject: RE: Cornell-Dubillier Superfund Site

Okay then we probably will use the meeting and the brochure.

Was anything else provided in writing (other than the brochure) before, during or after the meetings? Does the brochure have our agency name or EPA's on it? Does it say 'clearly' that we or EPA intend to acquire the property? Does it say anything about CERCLA, Superfund or health concerns?

If you can bring the brochure down to Melanie or Bertha in Counsel, they can have someone scan it and send it to me.

Trish Ryan
Assistant District Counsel
U.S. Army Corps of Engineers,
Baltimore District
410-962-3385 (Baltimore District Office)
847-234-1126 (Chicago Remote Office)

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From: Hawkins, Gloria S NAB02
Sent: Wed 9/20/2006 2:58 PM
To: Lewis, Susan K NAB02; Ryan, Patricia M NAB02
Subject: RE: Cornell-Dubillier Superfund Site

No, notification of the meetings were done by telephone.

10/4/2006

From: Lewis, Susan K NAB02
Sent: Wednesday, September 20, 2006 2:53 PM
To: Ryan, Patricia M NAB02
Cc: Hawkins, Gloria S NAB02
Subject: RE: Cornell-Dubillier Superfund Site

Trish - Yes, the Health Advisory you found is for the same site.

Gloria - please provide Trish with the Attorney POC at EPA for this project. Also, did we send written letters to notify the owners of the meetings or phone calls only? Send written notice (if any) to Trish please.

Thanks-

Sue

From: Ryan, Patricia M NAB02
Sent: Wednesday, September 20, 2006 2:46 PM
To: Lewis, Susan K NAB02
Cc: Hawkins, Gloria S NAB02
Subject: RE: Cornell-Dubillier Superfund Site

Yes, I would like a POC at EPA.

Let me look a little more to make sure I am not missing anything.

For now, I have been unable to find any caselaw over relocation benefits under PL 91-646 and the timing of businesses moving. That leads me to believe that agency discretion has led to an inclusive interpretation of the regulation/policy that generally keeps the businesses satisfied and therefore they don't need to go to court.

I am leaning toward your line of thinking that the purpose of the 90 day notice is more a requirement on us (the displacing agency) to give the tenant time and not a requirement that establishes tenant eligibility as displaced.

I did find this in the way of a health advisory. It's called Cornell-Dubillier, EPA FACILITY ID: NJD981557879. Does this cover the same area that we are referring to?

http://www.atsdr.cdc.gov/HAC/PHA/cornell_dubillier/cor_toc.html

I think I will likely advise that the businesses that already moved are eligible using the issues and reasoning below:

What can qualify as a notice of intent? (probably the meetings*)

What can qualify as a notice of federally coordinated health advisory? (possibly the notice above, or another notice)

Even if it is found that there was no formal notice (initiation of negotiations) prior to those businesses moving (of either intent or health advisory) could the Agency still determine that the "person was displaced as a direct result of the program or project." (yes)

What was used to invite/notify the businesses to/about the meetings. Can you send me a copy?

Trish Ryan
Assistant District Counsel

10/4/2006

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Baltimore District
410-962-3385 (Baltimore District Office)
847-234-1126 (Chicago Remote Office)

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From: Lewis, Susan K NAB02
Sent: Wed 9/20/2006 10:30 AM
To: Ryan, Patricia M NAB02
Cc: Hawkins, Gloria S NAB02
Subject: RE: Cornell-Dubillier Superfund Site

Trish - See below.

Gloria - Please feel free to add anything else you think might be relevant.

Thanks!

Sue

From: Ryan, Patricia M NAB02
Sent: Wednesday, September 20, 2006 9:58 AM
To: Lewis, Susan K NAB02
Cc: Hawkins, Gloria S NAB02
Subject: RE: Cornell-Dubillier Superfund Site

Sue:

Sorry, this isn't an answer yet. These are the issues I am looking into. I though you may have some information or comments about them. I plan to provide an answer by the end of the week.

So far, I haven't found anything directly on point. Therefore, I think the answer is going to come from policy (of promoting public confidence and not causing disproportionate injury) and interpreting what the regulation doesn't say.

1) Did we send the Notice of intent to acquire? If not yet, when do we typically send it? The Notice of Intent to Acquire is not a required notice, and we typically don't have a need to send one. Eligibility is usually established through initiation of negotiations.

24.203

(d) *Notice of intent to acquire.* A notice of intent to acquire is a displacing Agency's written communication that is provided to a person to be displaced, including those to be displaced by rehabilitation or demolition activities from property acquired prior to the commitment of Federal financial assistance to the activity, which clearly sets forth that the Agency intends to acquire the property. A notice of intent to acquire establishes eligibility for relocation assistance prior to the initiation of negotiations and/or prior to the commitment of Federal financial assistance. (See §24.2(a)(9)(I)(A).)

10/4/2006

2) In your opinion, would the people who moved qualify as displaced as a direct result of the program or project? See below:

24.2

(ii) *Persons not displaced.* The following is a nonexclusive listing of persons who do not qualify as displaced persons under this part:

(A) A person who moves before the initiation of negotiations (see §24.403(d)), unless the Agency determines that the person was displaced as a direct result of the program or project;

I think that it depends on how we interpret the initiation of negotiations for this project. Under the definition in 49 CFR 24.2(a)(15), my opinion is that the meeting with the tenant businesses in March to tell them they would be displaced and explain their benefits would qualify as "initiation of negotiations". I don't think the absence of a 90-day notice is the driving factor in determining eligibility.

I think the mention in the ROD could be argued to be a "formal announcement" as well, but this was more of a general public announcement and not as specific as a meeting with an individual tenant.

3) When would you say negotiations began? Also, do you have knowledge whether a formal announcement was issued of either 1) such relocation or 2) federally coordinated health advisory?

See above. Regarding a federally-coordinated health advisory, I don't know if one was issued. Would it be helpful for you to discuss with and EPA Attorney? Gloria could provide you with a POC.

Trish Ryan
Assistant District Counsel
U.S. Army Corps of Engineers,
Baltimore District
410-962-3385 (Baltimore District Office)
847-234-1126 (Chicago Remote Office)

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From: Lewis, Susan K NAB02
Sent: Thu 8/31/2006 11:23 AM
To: Ryan, Patricia M NAB02
Cc: Hawkins, Gloria S NAB02
Subject: Cornell-Dubillier Superfund Site

Trish - We have a site in New Jersey that involves permanent relocation of a number of tenant businesses. The site consists of many buildings that are leased by various tenant businesses from the owner, who will most likely be considered a PRP. The cleanup will be done in phases over a two year period. Several questions have arisen regarding eligibility of certain businesses for relocation benefits, and I would like your opinion.

Background: In March 06, Gloria and Chris conducted initial business interviews with the tenants to determine their potential relocation needs. The project was explained, and the business owners were told that they would eventually need to move, but that they did not have to move at that time. They were also told that funding was not currently available for their moves. They were provided with a brochure that explains relocation benefits under PL 91-646, as amended. We asked the business owners for copies of their leases, and we are currently working with them to get moving estimates (an independent company is providing the estimates under contract with the Government).

10/4/2006

In July and August, three of the businesses received their 90-day notices as required by 49 CFR 24.203©. They will need to vacate the site by 30 Nov 06. None of the other businesses have received 90-day notices yet.

Questions:

1. One of the businesses that we met with in March went ahead and moved. Another is in the process of moving. Neither of these businesses received a 90-day notice from the Government. Are they eligible for benefits under PL 91-646?
2. Some of the other tenant businesses who have not gotten 90-day notices are also anxious to move, even though it may not be required until next year. They say that if a great rental space appears on the market now, they want to take it. If they wait until next year, it won't be available. If they move before the 90-day notice is given, are they eligible for benefits?
3. There may have been some other businesses that were in occupancy after the ROD was finalized, but they moved before meetings took place in March. Are they eligible for benefits?

According to 49 CFR 24.203(b), "(e)ligibility for relocation assistance shall begin on the date of a notice of intent to acquire..., the initiation of negotiations..., or actual acquisition, whichever occurs first. When this occurs, the Agency shall promptly notify all occupants in writing of their eligibility for applicable relocation assistance." In this case, EPA is negotiating a settlement agreement with the owner of the property which will probably include transfer of ownership of the property to EPA. This will not be settled for quite a while. Therefore, in determining eligibility of these tenants, we are looking at initiation of negotiations (ION) as the event which determines their eligibility.

The definition of ION at 49 CFR 24.2(a)(15) has a section on CERCLA relocations, which states that unless otherwise specified in applicable Federal program regulations, ION for CERCLA projects occurs upon "the formal announcement of such relocation or the Federal or federally-coordinated health advisory where the Federal Government later decides to conduct a permanent relocation." There are some explanatory notes in the section-by-section discussion at the beginning and in Appendix A that describe EPA's intent when temporary relocations are involved because of immediate health threats, which are then followed by permanent relocation. However, there really isn't clarification that fits this situation.

Permanent relocation of tenants was specified as part of the remedy in the ROD. Meetings were held with the tenants in March 06 and they were told they would be displaced. Do either of these events constitute "formal announcement" of a relocation as defined above?

I hope I've provided enough explanation. Please let me know if you want to discuss.

Thanks!

Sue

10/4/2006

Hawkins, Gloria S NAB02

From: Currin, Lee B NAB02
Sent: Tuesday, September 26, 2006 2:30 PM
To: Hawkins, Gloria S NAB02
Subject: RE: Blanket Purchase Agreements - Appraisal Services

Sidney Land Inc.
10 Hackensack Ave.
Weehawken, NJ 07086
201-864-1010

From: Hawkins, Gloria S NAB02
Sent: Tuesday, September 26, 2006 2:26 PM
To: Currin, Lee B NAB02
Subject: RE: Blanket Purchase Agreements - Appraisal Services

Yes, I can include them on the list of potential bidders when I send the action down to Contracting.

Thanks.

From: Currin, Lee B NAB02
Sent: Tuesday, September 26, 2006 2:25 PM
To: Hawkins, Gloria S NAB02
Subject: RE: Blanket Purchase Agreements - Appraisal Services

Gloria, none of our BPA appraisers do M&E appraisals. McGuire Associates says they use Charles Land of Weehawken, NJ. I have the contact info if you want. Lee

From: Hawkins, Gloria S NAB02
Sent: Tuesday, September 26, 2006 1:12 PM
To: Currin, Lee B NAB02
Subject: Blanket Purchase Agreements - Appraisal Services

Lee,

When you get the chance can you check to see if the appraisers that you have blank purchase agreements are experienced in M&E Appraisals. The type of business we need M&E appraisals for as follows: Kitchen Cabinet Makers, Mattress Company, Chemical Company. All of the businesses as located in South Plainfield, NJ.

Please let me know what you find out.

Thanks.

Planning PRC

Mary H.



American Society of Appraisers

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Charles Bruce Land, AM Accredited Member

Sidney Land, Inc
10 Hackensack Ave
Weehawken, NJ 07087-6610

Phone: (201) 864-1010

Email: landcharles@hotmail.com

Fax: (201) 864-7686

Discipline: Machinery & Technical Specialties

Specialty: Machinery & Equipment

Chapter: New York

Member Status: Active

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Created by Matrix Group International

Furniture Exchange

1-800-605-2574

LICENSES: NJPC1PM00710 • DOT#T-32000 • USDOT 892232

ALPHA
MOVING & STORAGE, INC.

"OUR PROMISES ARE SET IN STONE"



September 15, 2006

To Whom It May Concern:

On August 30th 2006 I performed a visual site survey for "The Furniture Exchange" at 333 Hamilton Blvd, South Plainfield NJ for a proposed relocation within a 50 mile radius of its current site.

This site is primarily used for office furniture storage with some electronics also on site. It consists of an array of various file cabinets, work stations, desks, chairs, bookcases etc..

This project also consists of a small office with work stations setup requiring breakdown, and setup accordingly.

Much of this project requires a great deal of labor to protect the furniture prior to loading with quilt blankets for the wood furniture, and stretch wrap for the file cabinets. Also a substantial amount of time would be required to pack hardware for the work station hardware currently packed on wooden storage shelves.

* It was explained by one of the principals for "The Furniture Exchange" that approximately 140 tractor trailers belonging to them are either on the current site or off site, of which half are road worthy & half are not. These 140 tractor trailers have not been taken into consideration for purposes of this estimate.

Should you require any further information please do not hesitate to contact me on my cell phone at (973) 727- 9824.

Have a great day!

Sincerely,

Michael Andreaggi
Michael Andreaggi
Executive Vice President Commercial Sales



6 Benete Place Jersey City, NJ 07308 Tel: (800) 805-2574 Fax: (201) 652-6008

Logistics Schedule

Prior to the relocation, a supervisor from Alpha Moving & Storage will conduct a pre-move meeting to discuss the "How 2's" of a commercial move.

At that time, a color-coded, numerical labeling system will be implemented utilizing a floor plan supplied by "The Furniture Exchange".

Each staff member will receive their own ID number indicating their exact location at destination. Placards will also be installed at destination to coincide with the labels at origin.

The relocation will consist of packing, preparation of the work stations for the move, transportation, setup, and unpacking once the project has been delivered.

It is anticipated that approximately 100 tractor trailer loads will be necessary to handle the scope of this project.

All electronics will be individually pad wrapped & placed into our computer bins for safe transport to destination. Keyboard zip-lock bags will be used for all loose items affiliated with that unit.

All furniture will be pad wrapped and protected prior to loading to ensure proper handling.

Once all items are loaded, the entire crew will accompany those vehicles to destination where floor & wall protection will be installed where needed. All items will be placed at their pre-determined locations utilizing the placards previously installed.

All electronics will be unwrapped and placed for the staff of "The Furniture Exchange" to reconnect.

This project is predicated on straight time rates, and is subject to the conditions of the new warehouse building that is ultimately chosen for this relocation.

This entire project & the staff of Alpha Moving & Storage will be under the direct supervision of Mike Andreaggi.

* On additional \$2500 for each of the 120 trailers, some of which are non-road worthy, ~~\$2~~ 120 @ 2500 = \$300,000
 + 358,000
 \$ 658,000

The Estimated Total = \$358,000

Project Management = \$18,000

125 tractor trailer loads @ \$2,500 = \$312,500

Breakdown & setup work stations = \$2,500

Packing, Materials & Unpacking = \$25,000

"The Furniture Exchange" Cost Analysis

Central Jersey Shading

1-800-605-2574

LICENSES: NJCPM-00710 • DOT# 32690 • USDOT 586334

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September 14, 2006

To Whom It May Concern:

On August 30th 2006 I performed a visual site survey for [REDACTED] at 333 Hamilton Blvd, South Plainfield NJ a proposed relocation within a 50 mile radius of the current site.

This site strictly for warehousing product, that would require stretch wrapping pallet loads, which in turn would than be loaded for transportation via a forklift truck at origin, and a second one at destination to receive the product.

The transportation cost would involve 4 tractor trailer loads @ \$2,000 per load, and one flatbed trailer @ \$2,500. Miscellaneous materials would be \$500 for stretch wrap and \$100 for project management for an estimated total cost of [REDACTED].

Should you require any further information please do not hesitate to contact me on my cell phone at (973) 727-9824

Have a great day!

Sincerely,

Michael Andreaggi

Michael Andreaggi
Executive Vice President Commercial Sales



6 Senate Place Jersey City, NJ 07308 Tel: (800) 605-2574 Fax: (201) 658-5008

Townsend Movers

1-800-605-2574

LICENSES: NJCPM-00710 • DOTNY-32000 • USDOT 280054

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September 14, 2006

To Whom It May Concern:

On August 31st 2006 I performed a site survey for ~~Townsend Movers~~ at 333 Hamilton Blvd, South Plainfield NJ for a proposed relocation within a 50 mile radius of the current site.

This site is exclusively for household storage consisting of storage containers that would need to be broken down and transported via 2 flatbed trailers @ \$2,500 per trailer. Additional household effects would need to be moved on 3 tractor trailer loads @ \$2,000 per load. Miscellaneous labor of \$1,000 would be required to breakdown and setup the storage containers at the new destination for an estimated project total of ~~\$12,000~~.

Three non-roadworthy tractor trailers were pointed out to me for this survey; however they are not included in this cost analysis.

Should you require any further information please do not hesitate to call me on my cell phone at (973) 727- 9824

Have a great day!

Sincerely,


Michael Andreaggi
Executive Vice President Commercial Sales



6 Senate Place Jersey City, NJ 07308 Tel: (800) 605-2574 Fax: (201) 656-6006

Nasser Metals

1-800-605-2574

LICENSES: NJCPM40710 - DOT#T-32060 - USDOT 500530

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September 14, 2006

To Whom It May Concern:

On September 5th 2006 I performed a visual site survey for **Nasser Metal & Alloys L.L.C.** at 333 Hamilton Blvd, South Plainfield NJ for a proposed relocation within a 50 mile radius of the current site.

It is primarily a warehouse consisting of scrap metal that would require a forklift truck to load approximately 6 tractor trailer loads @ \$2,000 per load. Two sit-down forklift trucks and 1 garbage baler would also be needed to be transported on 1 flatbed trailer @\$2,500. The total for this move including project management (\$150), based on straight time rates would be an estimated **\$14,650.**

Should you require further information please do not hesitate to contact me on my cell phone at (973) 727-9824

Have a great day!

Sincerely

Michael Andreaggi
Executive Vice President Commercial Sales



6 Benete Place Jersey City, NJ 07308 Tel: (800) 605-2574 Fax: (201) 658-5008

A/C Catalysts

1-800-605-2574

LICENSES: NJCPM-00710 • DOT-5388D • USDOT 580341

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September 14, 2006

To Whom It May Concern:

On behalf of Alpha Moving & Storage, Inc I am pleased to present to you a preliminary cost analysis, and logistics schedule for **AC Catalysts, Inc.**

I visited the company on 8/30/06 at 333 Hamilton Blvd, South Plainfield NJ, and did a visual site survey. I spoke to an individual in charge who said no chemicals would be moved.

My understanding is that the destination site is yet to be determined, but for my purposes will be moved within a 50 mile radius of the current location.

This cost analysis takes into account complete project management, breakdown & setup of the pallet racking, preparation, packing, transportation, rigging and unpacking.

The spray booth does not appear to be movable items and as such is not included in the cost analysis.

Should you require any additional information please do not hesitate to call me on my cell phone @ (973) 727-9824?

Have a great day!

Sincerely,


Michael Andreaggi
Executive Vice President Commercial Sales



6 Senate Place Jersey City, NJ 07306 Tel: (800) 605-2574 Fax: (201) 658-5006

Logistics Schedule

Prior to the relocation, a "Project Management Team" will be assigned to go over different components of this project. Alpha Moving & Storage will conduct a pre-move meeting to discuss the "How 2's" of an industrial move. Of particular concern will be the timing of the disassembly of the pallet racking in conjunction with the rigging, and the general move.

At that time, a color-coded, numerical labeling system will be implemented utilizing a floor plan supplied by AC Catalysts.

Each staff member will receive their own ID number indicating their exact location at destination. Placards will also be installed at destination to coincide with the labels at origin.

It is anticipated that the project will require labor to breakdown & setup the pallet racking, an estimated 10 tractor trailer loads, 4 flatbed trailer loads, rigging, packing and unpacking. Also a forklift truck will be utilized at origin and destination while the move is ongoing.

Once all items are loaded, the entire crew will accompany those vehicles to destination where floor & wall protection will be installed where needed. All items will be placed at their pre-determined locations utilizing the placards previously installed.

This entire project & the staff of Alpha Moving & Storage will be under the direct supervision of Mike Andreaggi.

AC Catalysts, Inc Cost Analysis

Breakdown & Setup Pallet racking /shelving =	\$3,000
10 Tractor trailer loads @ \$2,000 per load =	\$20,000
4 Flatbed trailer load @ \$2,500 per load =	\$10,000
Rigging (Breakdown & setup) =	\$10,000
Materials, Pack & unpacking =	<u>\$1,500</u>
Estimated Cost =	<u>\$44,500</u>

Keystone Plastics

1-800-605-2574

LICENCES: NJCPM400710 • DOT#T-32660 • USDOT #6666

ALPHA
MOVING & STORAGE, INC

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September 14, 2006

To Whom It May Concern:

On August 30th 2006 I performed a visual site survey for Keystone Plastics at 333 Hamilton Blvd, South Plainfield NJ for a proposed relocation within a 50 mile radius of the current site.

This site is exclusively for warehousing product that would require one forklift truck at origin, and one at destination to receive the loads.

Due to weight restraints this project would require 10 tractor trailer loads @\$2,000 per load. Rigging would be necessary to move 3 extremely large machines called a winder, grinder, and a roll former at a cost of \$2,500. Also one flatbed trailer @\$2,500 would be needed to handle this project.

Project Management would be included on this project for an additional \$200 making the estimated cost \$25,200.

Should you require any further information please do not hesitate to contact me on my cell phone at (973) 727- 9824.

Have a great day!

Sincerely,

Michael Andreaggi
Executive Vice President Commercial Sales



6 Senate Place Jersey City, NJ 07306 Tel: (800) 605-2574 Fax: (201) 656-5006

11 P. 9155 NO.

ALPHA MOVING & STORAGE

SEP. 18. 2006 10:08AM

Lytle Gading

ALPHA
MOVING & STORAGE, INC

"OUR PROMISES ARE SET IN STONE"

1-800-605-2574

LICENSES: NJCPM-00710 • DOT-32080 • USDOT 585588



September 14, 2006

To Whom It May Concern:

On August 30th 2006 a visual site survey was done at the destination site of [REDACTED] which had previously moved from 333 Hamilton Blvd; South Plainfield NJ to it's present site at 1355 West Front St; Plainfield NJ.

The scope of the work involved separating & palletizing rolled textile product with shrink wrap for transportation to the destination via tractor trailers. Some miscellaneous items that would require special handling would a digital scale, 4 sit-down forklift trucks, 3 electric pallet jacks, 2 garbage baler machines, and 14 measure graph machines which would be moved together on flatbed trucks.

The pricing for this project would be predicated on 80 tractor trailer loads @ \$2,000 per load, 3 flatbed truck loads @ \$2,500, miscellaneous materials @ \$500, and rigging for \$2,000.

The estimated total for this relocation would be \$110,000 which includes all manpower, and equipment necessary to perform this project. It does not include any calibration of equipment if necessary.

Should you require additional information, please do not hesitate to call me cell phone @1-973-727- 9824.

Sincerely,

Mike Andreaggi
Mike Andreaggi
Executive Vice President
Commercial Sales



6 Senate Place Jersey City, NJ 07306 Tel: (800) 605-2574 Fax: (201) 656-5006

Spring Coil

1-800-605-2574

LICENSES: NJPCNPM-00710 • DOT#T-32900 • USDOT 586658

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MOVING & STORAGE, INC

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September 14, 2006

To Whom It May Concern:

On behalf of Alpha Moving & Storage, Inc I am pleased to present to you a preliminary cost analysis, and logistics schedule for Spring Coil Mattress Co which I visited on 8/30/06 to do a visual site survey at 333 Hamilton Blvd, South Plainfield NJ.

My understanding is the destination site is yet to be determined, however for purposes of this estimate it will be assumed within a 50 mile radius.

This cost analysis takes into account complete project management, preparation, packing, transportation, rigging and unpacking.

Should you require additional information please do not hesitate to call my cell phone @ (973) 727- 9824.

Have a great day!

Sincerely.

Michael Andreaggi
Executive Vice President Commercial Sales



6 Senate Place Jersey City, NJ 07306 Tel: (800) 605-2574 Fax: (201) 656-5008

Logistics Schedule

Prior to the relocation, a " Project Management Team " will be assigned specializing in this particular type of project with rigging of large sensitive equipment requiring specific concerns related to all of these individual units.

Project Supervisors will coordinate with all involved vendors, building management and with Spring Coil Mattress Co, to assure proper timing and coordination of all events.

A color-coded, numerical labeling system will be implemented utilizing a floor plan supplied by Spring Coil Mattress Co. Every item moving will receive its own ID number indicating an exact location at destination. Placards will also be installed at destination to coincide with the labels at origin.

A crew experienced in disassembly of this kind of equipment will work in conjunction with another crew that is responsible for packing up the miscellaneous items to be placed in shipping containers for the move.

The relocation will require moving approximately 30 tractor trailer loads with 2 forklift truck operators, and 6 flatbed loads to complete the project.

Once all items are loaded, the entire crew will accompany those vehicles to destination where floor & wall protection will be installed where needed. All items will be placed at their pre-determined locations utilizing the placards previously installed.

Once everything has been off loaded a rigging crew and unpacking crew will coordinate with Spring Coil Mattress Co to setup according to their specific needs.

Alpha Moving & Storage is predicated this move on straight time rates. Consideration to calibration of equipment would add additional cost. The rigging estimate is based on normal conditions at destination for ingress.

This entire project & the staff of Alpha Moving & Storage will be under the direct supervision of Mike Andreaggi.

Cost Analysis For Spring Coil Mattress Company

25 tractor trailer loads @ \$2,000	=	\$50,000
6 Flatbed loads @ \$2,500	=	\$15,000
Rigging (Breakdown & Setup)	=	\$20,000
Materials, Pack, Unpack	=	<u>\$5,000</u>
Estimated Total	=	\$90,000



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, U. S. ARMY CORPS OF ENGINEERS
P. O. BOX 1715
BALTIMORE, MD 21203-1715

August 30, 2006

Real Estate Division
Special Projects Support Branch

Mr. Gary Hess
Alpha Moving and Storage Company
Six Senate Place
Jersey City, New Jersey 07306

Dear Mr. Hess:

This letter is in reference to the on-site moving estimates to be conducted by Alpha Moving and Storage Company in connection with the Cornell-Dubilier Electronics Superfund Project, Hamilton Industrial Park, South Plainfield, New Jersey.

This is to confirm that the Government will make payment in the amount of \$250.00 per business for nine (9) businesses which will total \$2,250.00. Payment will be processed by Government credit card upon receipt of completed estimates and invoices.

Please forward invoices and estimates to U.S. Army Corps of Engineers, Baltimore District, ATTN: CENAB-RE-S (Ms. Gloria Hawkins), P.O. Box 1517, Baltimore, Maryland 21203-1715 or you may fax them to Ms. Hawkins at 410-962-4928 or 410-962-0866.

Should you have any questions concerning this matter, please feel free to contact Ms. Hawkins at 410-962-2003.

Your cooperation in this matter is greatly appreciated.

Sincerely,

A handwritten signature in cursive script, reading "Susan K. Lewis", is positioned above the typed name.

Susan K. Lewis
Environmental Program Manager
Real Estate Division

Hawkins, Gloria S NAB02

From: Engesser, Fred J NAB02
Sent: Friday, August 25, 2006 1:22 PM
To: Hawkins, Gloria S NAB02
Subject: RE: M & E Appraisal for CDE Superfund Site

Here are two firms you can use.

Federal Appraisal & Consulting
372 Route 22 West
Suite 1A
Whitehouse Station, New Jersey 08889
POC: Mark R. Rodriguez
E-mail: mrodriguez@federalappraisal.com
Voice 732.780.6010
Fax 732.780.6020

Barry Glachman
CBIZ Valuation Group
Princeton, NJ
609-896-0300 x121
609-896-1849 fax
215-694-4890 cell

From: Hawkins, Gloria S NAB02
Sent: Friday, August 25, 2006 12:40 PM
To: Engesser, Fred J NAB02
Subject: RE: M & E Appraisal for CDE Superfund Site

Do you know of any names of M&E appraisal firms? If so, please provide.

Thanks.

From: Engesser, Fred J NAB02
Sent: Friday, August 25, 2006 12:03 PM
To: Hawkins, Gloria S NAB02
Cc: Lewis, Susan K NAB02
Subject: M & E Appraisal for CDE Superfund Site

Gloria,

Send Sharon Roland (Simplified Acquisition) the SOW, labor code for CT and Planning PR&C and they will do bid solicitation, selection and contract award. You can also provide CT with names of M&E appraisal firms to receive solicitations.

Fred J. Engesser
Acting Chief, Technical Services Branch
Real Estate Division
U. S. Army Corps of Engineers - Baltimore District
410-962-3101 Voice
fred.j.engesser@usace.army.mil

Revised Schedule (Tu W Th
21 22 23)

**CORNELL DUBILIER ELECTRONIC SUPERFUND SITE
HAMILTON INDUSTRIAL PARK
333 HAMILTON BOULEVARD, SOUTH PLAINFIELD, NEW JERSEY**

13 ~~13~~ Business Relocations

Building 1

Spring Coil Bedding, Inc.

Tom Salgo or Yossi Freidman

908-791-0411

Notes: Meeting scheduled for Wednesday, 3/22/06 @ 8:00 – 8:30 in Building 1.

Building 2

A&C Catalysis, Inc.

Abraham Goldstein 726 or

908-226-7575

Notes: Meeting scheduled for 21 Mar @ 2:00 PM in Building 2. Heavy Industrial

Building(s) 3, 4, 4A, 5A & 11

Complete Liquidation Company

Emilio DiIorio

908-912-0170

Notes: Meeting scheduled for @ 2:00 PM in Building 3, The currently occupies approximately 62,500 square feet of space. It's used as storage, office headquarters and refabrication of furniture.

Building 5

Fayette Trading

Thomas Antonello

908-668-5885

Notes: Meeting scheduled for Wednesday, 3/22/06 @ 10:30 PM in Building 5.

Building 7

Dove Construction

Tom Cerami

732-381-6802

732-684-8764

732-570-0441

Notes: Meeting schedule for Wednesday, 3/22/06 @ 1:00 PM in Building 7

(Rete Mannino)

212 637

4395

Patrick → Neal RE
732 846 5830

Building 8

Keystone Plastics

Marvin Nastel - left message 7 Mar

908-561-1300

17 Mar - LM for Michael Nastel

Michael Nastel
Robert Fraa

Building 9B

R&M Manufacturing, Inc.

Tom Marvel

908-754-2541 (*8 ext. 18)

732-433-8340

Notes: Meeting schedule for Thursday, 3/23/06 @ 8:00 AM.

Currently have 15,000 square feet of space would like 30,000

Need a site with heavy truck access and heavy electric need approximately 400 amps of 220 service.

Building 9C

Central Jersey Trading Company

732-494-5123 (Fax Number) (908) 757-5235

Building 10

Chamberlain Power & Electric, Inc.

Bill Chamberlain

908-822-9900

Wed 22 March 06, 7:00 AM

Building 12

LIT Automotive

732-718-1856

Need to call Chicago (main office?) → call back for # left msg 3-8

construction roofing

Left Message at office # on 7 Mar

732-236-4936 cell

Chicago Owner: 908-201-0586

Building 13

Nesser Metals & Alloys, LLC - David Nesser

732-247-7719

Building 15

Franz Cabinet Company

908-668-9199 - Called and left a message.

No office set-up. Just moved in @ 1 year ago

Franz Customer

908-209-5356 = cell phone

Home: Franz Kostemaj

C/O F Cabinet Co

262 Skyline Drive

Millington NJ 07946

Building 16

Townsend Bros. Moving & Storage.

908-233-7444

Left Message on Cell phone

Mike Townson (cell) 908-578-8262
Shouldn't be a problem
will call back to schedule time.

Building 18

DSC of Newark Enterprises Inc.

Joe Lockwood

973-589-4200

8 Mar left message

17 Mar - Mike will call us on Monday to schedule time

X21 Norpac (this # not on site)
from clueless

3/23
11:30

3:50
3:22

PLEASE NOTE: Buildings 1A, 1B, 1C, 6, 9, 9A and 14 are vacant.

Hawkins, Gloria S NAB02

From: Lewis, Susan K NAB02
Sent: Monday, February 27, 2006 2:25 PM
To: Hawkins, Gloria S NAB02; Milligan, Chris NAB02
Subject: Cornell-Dubiller

Bill Chamberlain called me today (Chamberlain Power & Electric, Bldg. 10). He was returning your call, and was concerned about the project and wanted to speak to someone right away. I briefly explained the project. He was aware that EPA was doing site visits and what was involved, but he didn't know he would need to relocate.

They have 5,000 sf of space, and are paying only \$2,200 per month in rent. The rent does not include any services (such as snow removal) and if any building components break, the tenant is responsible to pay to fix them (they recently had to replace the garage door). They still feel this is a good deal because the rent is so low. It will be very difficult to find another space with that rental rate. I explained to him the \$10,000 cap on re-establishment expenses, of which increased operating costs (rent and utilities) is a part. This will be a big concern for them.

I explained briefly that we would pay moving costs, and some of the items included in that category as well as some of the options for accomplishing the move. I told him that if he had an inventory and could provide it, that would be helpful.

They have been there about 6 years. They put in \$50,000 in improvements, and asked how they could recoup that. I told him that he should provide documentation of what they did and how much it cost. We may be able to compensate them under the tenant-owned improvement provisions. It's difficult to say until we see exactly what has been done. (We need to discuss this internally, if we are not acquiring the buildings from the PRP. That doesn't necessarily preclude us from giving some compensation for tenant-owned improvements, but we'll need to discuss this approach with EPA.)

Their lease is up in July 2006. He asked if he should renew. I told him I expected this project will happen in FY 07, but that I didn't have an exact schedule as to when he would have to move. He would like to know ASAP. I told him my advice would be to renew the lease, but it was his decision. I also told him not to move without coordinating closely with us.

Sue

AGENDA – BiWeekly Conference Call No. 00
Cornell-Dubilier Electronics Superfund Site

February 22, 2006 (2:30-3:30 pm EST)

Conference Call-in Number (Toll Free): 1-800-251-6413, passcode 361943#

Participants: USEPA, USACE (KC and NY), MP

1. Building status:

a. Investigation / Design

- i. Site walk last week for real estate**
- ii. MP proposal has been submitted; to be negotiated shortly**
- iii. Preliminary building clusters (see .pdf file)**
- iv. Architectural impacts – acquisition of interim letter(s) from NJSHPO to clear historically non-significant buildings**
- v. Building debris left onsite as fill?**
- vi. How will utilities impact design?**

2. Soils status:

a. Review of HAWP, TSWP, AWP

- i. Status of USEPA/NJDEP comments?**
- ii. AWP RTC and Final doc out shortly (still . . .)**

b. Submittal of FSP, QAPP, HASP

- i. QAPP redevelopment continues**
- ii. Meeting with EPA on Feb. 13th**

3. Transportation and Disposal FS Work Plan:

a. Technical memorandum

- i. Volume calculations/Assumptions – Update**
- ii. Update on contacts with EPA – incineration, moratorium, mixed waste**
- iii. Schedule for Tech Memo**

4. Discussion on other issues?

5. Review of Action Items

Times available

3/9/06

4:00 PM

6:00 PM

3/8/06

6:00 PM

3/10/06

~~8:00 AM~~

~~10:00 AM~~

12N

AGENDA – BiWeekly Conference Call No. 03
Cornell-Dubilier Electronics Superfund Site

February 08, 2006 (2:30-3:30 pm EST)

Conference Call-in Number (Toll Free): 1-800-251-6413, passcode 361943#

Participants: USEPA, USACE (KC and NY), MP

- 1. Building status:**
 - a. Investigation / Design**
 - i. Received FRP for next phase**
 - ii. Any word from USEPA management regarding DESA/CLP lab use?**
 - iii. Architecture Schedule – Can reporting lag behind design?**
- 2. Soils status:**
 - a. Review of HAWP, TSWP, AWP**
 - i. Status of USEPA/NJDEP comments?**
 - ii. AWP RTC and Final doc out shortly**
 - b. Submittal of FSP, QAPP, HASP**
 - i. QAPP redevelopment continues**
 - ii. Proposed soils investigation is set – incorporated archeology borings and thermal property/geotechnical testing**
- 3. Transportation and Disposal FS Work Plan:**
 - a. Technical memorandum**
 - i. Volume calculations/Assumptions – Initial findings**
 - ii. Mixed Waste Issues (RCRA/TSCA) – incineration discussions with disposal facilities**
 - iii. Update on potential moratorium on LTDD in NJ – how this may affect volume assumptions**
 - iv. Confirm waste stream after on-site treatment for PCBs – backfilling options**
 - v. CSX site visit – status of rail research**
- 4. Discussion on other issues?**
- 5. Review of Action Items**



Real Estate Exchange

Federal Highway Administration

FHWA Knowl

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Storage Warehouse

DOT, State DOT, State Government
02/14/2006

Looking for some opinions: We have a warehouse that is used to rent a large amount of storage space to multiple tenants.

The rent runs from \$1,500 – 2,500 per month. There are 5 companies that rent space at this facility. The 5 company's only utilizes the facility for storage; there are no employees that work at the warehouse. We will be offering the owner of the warehouse full business (landlord) entitlements, the tenants will be offered moving entitlements only. One tenant is asking for increase in rent to cover the increased cost of storage that he will incur at his new storage facility. If we agree to this we would be saying that we displaced his business and this is not actually the case. All five businesses have their main offices at other locations and only use this facility for storage. By taking this warehouse we in fact are only displacing one business the landlord. Are we on the right track with our decision to offer moving only for the 5 tenants that use the facility for storage only?

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Storage Warehouse

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Re: Storage Warehouse

, State Government
02/14/2006

I think you are on the right track. This appears to be a personal property only move, and not a business displacement. However, I have argued this issue daily for months until I am not sure of anything anymore. Ultimately, the agency must decide who is displaced and who is not. If not displaced, the business has the right to appeal. On a case by case basis, my agency tends to approve everything for everyone, and while I do not regularly agree, I am starting to believe the alternatives (denials) may leave us all open to litigation. How will you explain to your appeals board, these are personal property only moves and not business displacements, eligible for reestablishment expenses? There is nothing in the regulations to help you. Reestablishment is limited to \$10,000 per business based on actual expenditures. Is it really worth saying NO?

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Re: Storage Warehouse

David, State Government
02/15/2006

You are correct in paying the owner of the storage building for a business move. However the business' storing items there only qualify for a personal property move because they do not meet the definition of a business found in 24.2(4). You are not moving the main operation of the business you are only moving storage.

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Re: Storage Warehouse

Al House, Alan C. House & Associates LLC, Industry/Commercial,
alanhouseassoc@comcast.net
02/15/2006

Interesting topic, and one that I too have been wrestling with of late. Probably because I'm running into the same situations as the originator - businesses are using the

displacement site as warehouse operations, although the business office is not in the project. And, the business will have to pay considerably more for another site, including modifications of the building - to a greater or lesser degree. Now, I've just reviewed all the relevant data I could find on the subject, including the 1998 Q&A, the "non-regulatory supplements", and current stuff. Nothing to indicate that reestablishment would be an eligible benefit unless the business moves. Dave is right, but I still think we need to discuss. First of all, it doesn't make sense that we would pay a business for exactly the same expenses incurred in relocating a business warehouse IF the business and warehouse were displaced. So how come we can't do that if only the warehouse is displaced? We pay reestablishment if the displaced business relocates to a different kind of business and/or a much larger business (please look at the 1998 Q&A - it's not a comparative thing, just a test of reasonableness). We even pay reestablishment to some guy who rents single family dwellings to others - and maybe he has 10 of them, one of which is in the take. What I'm not seeing at the FHWA Realty website is an specific prohibition about paying reestablishment when the displacement causes a business to incur one or more of the items we considered to be an eligible reestablishment cost. Oh. One more tidbit. You all recall that if we displace a warehouse, but not the main business office, AND the business office also has to move to be near the new warehouse location, we pay for the entire move - business and warehouse. I knew you knew that. Thanks for bringing this one up. Opinions, please? Al

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Re: Storage Warehouse

Gerald K. Cain, Land Acquisitions, Inc., Industry/Commercial,
geraldcain@landacquisitionsinc.com
02/15/2006

I'm currently working on a 100 unit storage facility. Many of the tenants are complaining that moving will cause them an increase in monthly rental payments. I would like everyone to consider the following: If we were to pay reestablishment expenses for a business storing property at the displacement site, what would we do for the individuals who are storing property? Seems unfair to pay a company increase rent and leave the individuals high and dry. I suspect if we walk down this path, it won't be long before all tenants in multi-storage buildings will be "sole proprietors" eligible for reestablishment. With all of that said, it may be important to take a look at the acquisition side of things: If a tenant has a below market lease, this would create some type of leasehold interest which should be addressed as part of the acquisition payment.

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Re: Storage Warehouse

Hunter Manson, Northwest Relocation Consulting, Industry/Commercial,
hunter@nwrccs.com
02/15/2006

Good point but it seems that virtually every lease contains condemnation language stating that the tenant receives no part of any award to the property owner. So you would be making a separate admin payment in the form of some type of rent supplement or increased cost. My understanding is that the lease is essentially condemned along with the property. This may just be a situation where a good deal on storage goes away. Now in the rare case where there is no condemnation language, the tenant might be able to pursue compensation from the property owners award. Tough situation in the case of the storage facility. It seems to me that most of these storage units are not on long term leases and either party is able to terminate with 30 days notice. But it is also reasonable for the tenant to be of mind that the undermarket terms would have continued had it not been for the agencies actions. One middle ground admin solution may be to offer some free rent for 30 or even 90 days following the purchase or after getting P & U. Hunter

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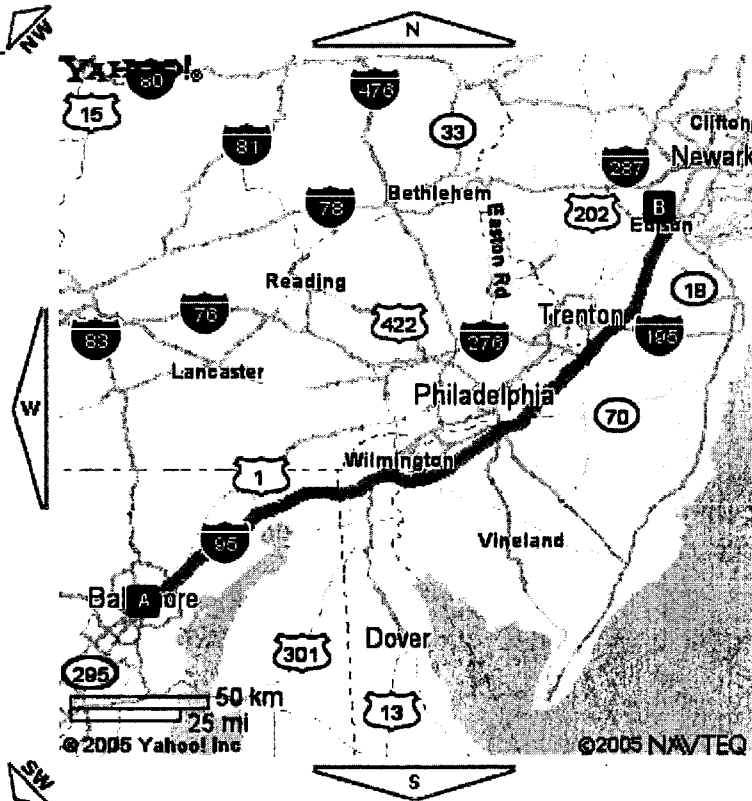


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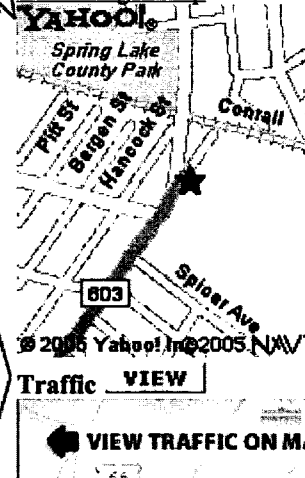
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4.	Bear R on ORLEANS ST[US-40] - go 1.7 mi
5.	Bear L to follow US-40 EAST - go 2.3 mi
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7.	Take ramp onto I-895 NORTH toward I-95 NORTH - go 1.0 mi
8.	Merge onto I-95 NORTH - go 58.8 mi
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10.	I-295 NORTH becomes US-40 EAST - go 0.9 mi
11.	US-40 EAST becomes NEW JERSEY TPKE NORTH - go 67.9 mi
12.	NEW JERSEY TPKE NORTH becomes I-95 NORTH - go 19.2 mi
13.	Take exit #10 onto I-287 NORTH - go 5.8 mi
14.	Take exit #4/DURHAM AVE onto DURHAM AVE - go 0.7 mi
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Hawkins, Gloria S NAB02

From: Maas, Kenneth E NWK
Sent: Thursday, February 09, 2006 11:36 AM
To: Pete Mannino ('Mannino.Pietro@epamail.epa.gov'); Derby, Martin; Anderson, H Garth NWK; Hawkins, Gloria S NAB02; Nejand, Patrick C NAN02; Wolf, Whitney K NWK
Subject: Cornell Real Estate / Site Visit
Attachments: Cornell Site.gif

Pete & All -

The site meeting is scheduled for Thursday 16 Feb 2006 at 9am.

We will meet at the site in the back parking lot. Entry to the Site is at a traffic light at the intersection of New Market Ave and Hamilton Blvd (See attached map). Take Interstate 287 to Exit 4 if you're westbound, or Exit 5 if you're eastbound.

Let me know if you have any questions about area hotels or anything. Thanks.

Site Address:

333 Hamilton Blvd
South Plainfield, NJ

Some Cell Numbers:

Pete Mannino (EPA) 212-258-3725
Garth Anderson (CENWK) 816-695-5753
Patrick Nejand (CENAN) 732-501-2729
Maritn Durby (MP) 716-725-1182
Ken Maas (CENWK) 816-682-6062

Ken
816-983-3709

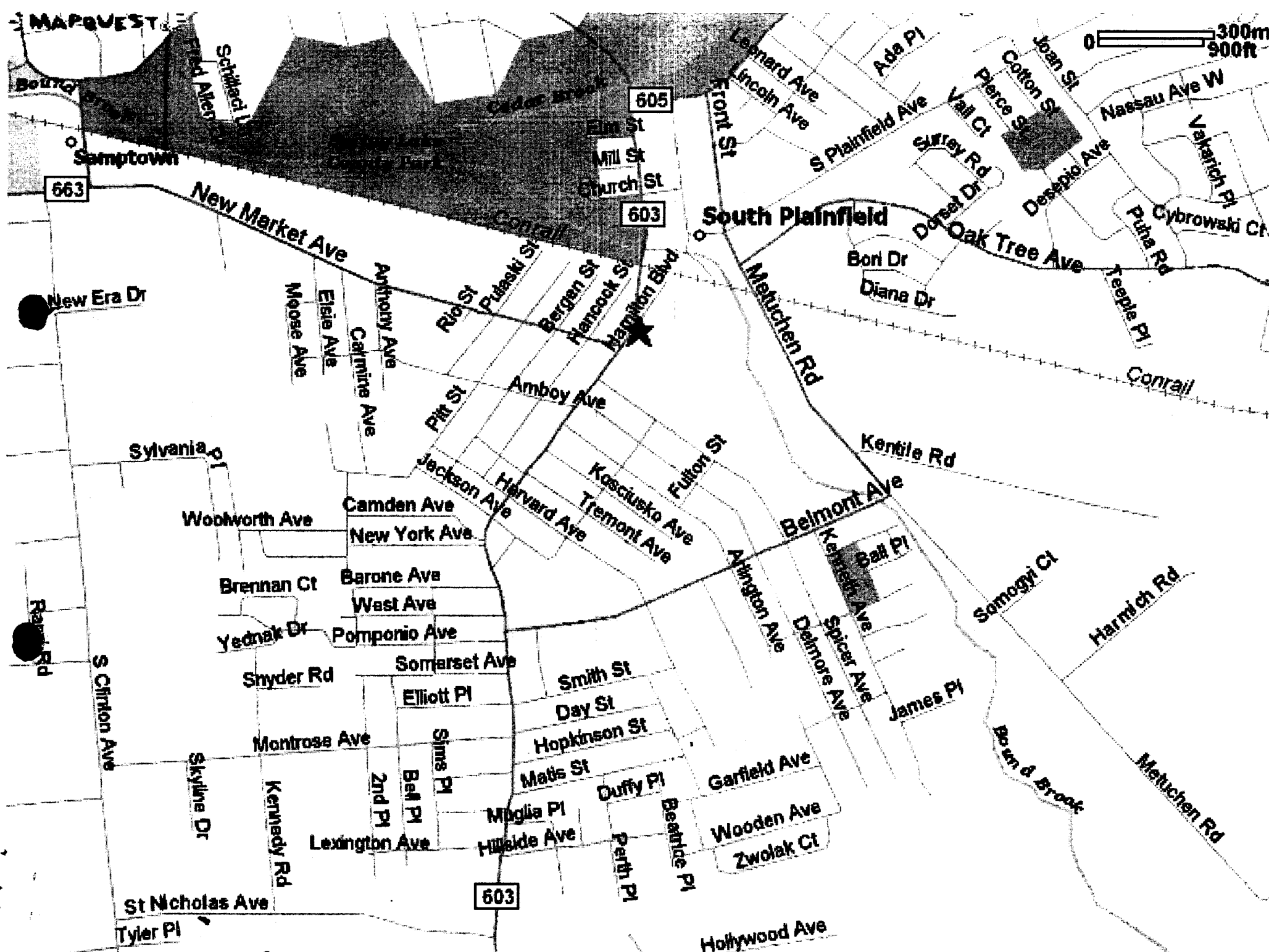
Meet at parking lot.

212-637-4395

Bldg Demolition around 9/06



Cornell Site.gif (65 KB)



Milligan, Chris NAB02

From: Lewis, Susan K NAB02
Sent: Monday, January 30, 2006 9:53 AM
To: Logue, Lesley M NAB02; Hawkins, Gloria S NAB02; Milligan, Chris NAB02
Subject: Cornell-Dubiller

All of you have volunteered to help. It might be good to have everyone sit in on the call at 10:00, although we may only need 2 v. 3 people ultimately involved. Anyone want to be the lead on this project - who will be the RE PM?

Milligan, Chris NAB02

From: Lewis, Susan K NAB02
Sent: Wednesday, January 25, 2006 4:36 PM
To: Milligan, Chris NAB02; Hawkins, Gloria S NAB02; Logue, Lesley M NAB02
Subject: FW: Cornell Dubilier Site

Heads up - another new project on the way. It is located in South Plainfield, NJ, and involves the relocation of commercial tenants from 18 buildings on the site. This will be a large and rather complicated project. I am trying to set up a conference call with the PM for Monday at 10:00. Please let me know if you would like to be involved - I probably will need two people at least due to the number of relocations.

Thanks -

Sue

From: Anderson, H Garth NWK
Sent: Wednesday, January 25, 2006 2:40 PM
To: Lewis, Susan K NAB02
Subject: Cornell Dubilier Site

Sue,

It's time to start kicking things off for real estate actions at the Cornell Dubilier Electronics Site in South Plainfield, NJ.

When would be a good time for us to talk about the project requirements, your funding needs, and other issues? We probably need a site visit soon after.

Look forward to working with you or one of your other folks.

Garth
H. GARTH ANDERSON, P.E.
Program/Project Manager
Corps of Engineers, Kansas City District
816-983-3255
cell: 816-695-5753
fax: 816-426-5550